

RECEIVED

JAN 15 2020

Monty P. Milbourne,  
Petitioner

AT 8:30                      M  
WILLIAM T. WALSH  
CLERK

✓

Civ. No. 20-0012 (NLH)

Richard Smith,  
Respondent

Judge Noel L. Hillman, U.S.D.J.

TODAY JANUARY 10, 2020, I RECEIVED NOTICE BY THE CLERK,  
OF THE UNITED STATES DISTRICT COURT THAT ON JANUARY 8, 2020,  
PETITIONER, WAS GRANTED TO PROCEED IN FORMA PAUPERIS IN  
28 U.S.C. § 2241, MILBOURNE V. SMITH, NO. 20-0012 (D.N.J.  
FILED JAN. 2, 2020) ECF No. 1, SIGNED BY YOU JUDGE HILLMAN.  
THANK YOU VERY MUCH JUDGE HILLMAN.

Respectfully, Monty P. Milbourne  
Monty P. Milbourne  
Cumberland County Jail

**COMPLAINT - SUMMONS (DEFENDANT'S COPY)**

<b>COMPLAINT NUMBER</b>				<b>THE STATE OF NEW JERSEY</b> <b>VS.</b> <b>SHERIFF PALMA</b>	
<b>0601</b>	<b>S</b>	<b>2019</b>	<b>002018</b>		
<small>COURT CODE</small>	<small>PREFIX</small>	<small>YEAR</small>	<small>SEQUENCE NO.</small>	<b>ADDRESS:</b> <b>60 WEST BROAD STREET</b>  <b>BRIDGETON NJ 08302-0000</b>	
<b>BRIDGETON JOINT MUNICIPAL COURT</b> <b>330 FAYETTE ST</b> <b>BRIDGETON NJ 08302-0000</b> <b>856-451-7565</b> COUNTY OF: <b>CUMBERLAND</b>					
<small># of CHARGES</small> <b>1</b>	<small>CO-DEFTS</small>	<small>POLICE CASE #:</small>		<b>DEFENDANT INFORMATION</b> <small>SEX:</small> <small>EYE COLOR:</small> <small>DOB:</small> <small>DRIVER'S LIC. #:</small> <small>DL STATE:</small> <small>SOCIAL SECURITY #:</small> <small>SBI #:</small> <small>TELEPHONE #:</small> ( ) <small>LIVESCAN PCN #:</small>	
<small>COMPLAINANT NAME:</small> <b>MONTY MILBOURNE</b>					

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 11/14/2019 in **BRIDGETON CITY, CUMBERLAND County, NJ** did: **WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE FOLLOWING OFFENSE: "ON THIS SAID DATE 11/14/19 THURSDAY MORNING AT THE CUMBERLAND COUNTY COURT HOUSE AFTER COMING OFF THE ELEVATOR FROM COURT, SHERIFF PALMA EXCESSIVELY WITH FORCE UNNECESSARY GRABBED ME WHILE DOUBLE HANDCUFFED AND SHACKLES ON MY ANKLES AND PROCEEDED TO VIOLENTLY MOVE ME TO THE HOLDING AREA OPENED THE DOOR AND AGGRESSIVELY WITH FORCE THREW ME TO THE GROUND INJURING MY NECK AND BACK IN WHERE I HAD TO GO TO HOSPITAL. CAMERA'S WILL VERIFY THIS. THE DEFENDANT IS A SHERIFF'S OFFICER AT THE CUMBERLAND COUNTY COURTHOUSE, 60 W. BROAD ST".** LOCATION: **CUMBERLAND COUNTY COURT HOUSE, HOLDING AREA/BULLPEN.** OFFENSE: **2C:12-1A(1).**

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**AT 8:30**  
**WILLIAM T. WALSH**  
**CLERK**

in violation of:

<b>Original Charge</b>	1) <b>2C:12-1A(1)</b>	2)	3)
<b>Amended Charge</b>			

**CERTIFICATION** I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: Date: **12/10/19****PROBABLE CAUSE DETERMINATION AND ISSUANCE OF SUMMONS**

☐ Probable cause **IS NOT** found for the issuance of this complaint:

Signature of Court Administrator or Deputy Court Administrator

Date

Signature of Judge

Date

☐ Probable cause **IS** found for the issuance of this complaint-summons:

Signature of Judge

Date

**SUMMONS**

YOU ARE HEREBY **SUMMONED** to appear before the Municipal Court in the county of: **CUMBERLAND**

at the following address: **BRIDGETON JOINT MUNICIPAL COURT**

**330 FAYETTE ST****BRIDGETON****NJ 08302-0000**

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

**Date of Arrest:****Appearance Date:****12/02/2019****Time:****01:00PM****Phone:****856-451-7565**

Signature of Person Issuing Summons: \_\_\_\_\_

Date: \_\_\_\_\_

☐ **Domestic Violence – Confidential**

☐ **Related Traffic Tickets  
or Other Complaints**

☐ **Serious Personal Injury/ Death  
Involved**

**Special conditions of release:**

- ☐ **No phone, mail or other personal contact w/victim**  
☐ **No possession firearms/weapons**  
☐ **Other (specify):**

**COMPLAINT - SUMMONS (DEFENDANT'S COPY)****Page 3 of 7****NJ/CDR1 1/1/2017**

JANUARY 10, 2020

Judge Noel L. Hillman,  
U.S.D.J.

Judge Hillman,

ON November 14, 2019, I WENT TO COURT AT the Cumberland County Courthouse 60 WEST BROAD STREET in Bridgeton N.J. 08302. I APPEARED IN Room #304 IN FRONT OF Judge DARRIGO. My Counsel who HAD PRIOR told me that Judge DARRIGO WAS Paying Him Just to APPEAR IN COURT with me AND make Sure I Sign Trial Papers to Be Found Guilty, was in Court that Day. When I was BROUGHT BACK DOWNSTAIRS THROUGH ELEVATOR, I told SHERIFF PALMA, SHERIFF, OF the Cumberland County Courthouse, 60 WEST BROAD STREET Bridgeton, N.J. 08302, That I would Like to Go Back to the Jail, Because this Lawyer is Being PAID By this Partial Judge that HAS Held me FOR 2 YEARS ON AN INVALID, VOID, NOT FILED, NO TRUE Bill INDICTMENT Accusation. SHERIFF PALMA, PALMA Told me "You ARE Going UPSTAIRS." AND I SAID, I Just want to Go Back to the Jail. SHERIFF PALMA Ruled me OUT OF the CHAIR I WAS Sitting IN, While I WAS Double HANDCUFFED AND Both Legs Shackled DRAGGED me to the Holding Cell open the DOOR, AND FORCEFULLY THREW me to the FLOOR HARD. I, Being HANDCUFFED, Could NOT BRACE my FALL. I WAS Hurt BAD IN my LOWER Back, Tailbone, Hip, AND NECK. THIS WAS ON CAMERA, AND I WAS SEEN By 4 WITNESSES THAT SAW THIS. Inspira Hospital FROM VINELAND N.J. CAME AND Put me on the Gurney AND took me to the Hospital where I STAYED FOR ABOUT 4 Hours TAKING CAT SCANS



Vitals, AND IV, AND ASKED QUESTIONS. I STILL COULD NOT WALK TO PUT PRESSURE ON MY BACK AND HIP SO I WAS PUT IN A WHEELCHAIR AND TAKEN BACK TO THE CUMBERLAND COUNTY JAIL. WHEN I GOT THERE, STILL IN EXCRUCIATING PAIN IN A WHEELCHAIR AND NOT BEING ABLE TO WALK, I WAS FOR SOME REASON MEDICALLY CLEARED BY A DOCTOR WHO WASN'T EVEN AT THE JAIL. THIS WAS AROUND 5:00 PM THURSDAY 11/14/19. THE NECK BRACE THAT WAS GIVEN TO ME BY THE HOSPITAL WAS TAKEN FROM ME, AND INSTEAD OF KEEPING <sup>ME</sup> ON THE MEDICAL UNIT, I WAS TAKEN TO B-POD, ROOM #2019 IN THE WHEELCHAIR (CAMERAS) WILL SHOW THIS. I WAS WHEELED TO ROOM #2019, AND WAS TOLD TO GET UP. I COULDN'T! SO THEY STARTED TO PULL ON ME TO GET ME UP AND I SCREAMED IN PAIN. THEY STOOD ME UP, I FELT BACK IN WHEELCHAIR IN PAIN. THE OFFICERS PICKED ME UP AND INSTEAD OF THEM PUTTING ME ON THE BUNK, THEY PUT ME ON THE FLOOR! CAMERA SHOWS THIS. I STAYED ON THE FLOOR IN PAIN FOR 2.5 HOURS! OFFICERS CALLED THE NURSE SEVERAL TIMES 11/15/19, FRIDAY, THEY CAME AND LAUGHED AT ME WITH OFFICERS. I SHOWED WHERE I URINATED AND DEFECATED ON MYSELF, AND THEY SMELLED IT AND STILL LEFT ME ON THE FLOOR WITHOUT TAKING ME TO MEDICAL FOR MONITORING OR BACK TO HOSPITAL, OR EVEN HELP ME ON THE BUNK. FROM 5:30 PM THURSDAY UP UNTIL 6:45 PM I WAS ON THE FLOOR IN CELL #2019 IN EXCRUCIATING PAIN AND THE CAMERA SAW IT. AT ABOUT 6:45 PM AFTER MOVING OUT OF THE DOOR ON MY BACK SO THE CAMERA COULD FULLY SEE ME SO SOMEONE COULD HELP ME OR TAKE ME OFF THE FLOOR TO MEDICAL OR TO THE HOSPITAL, OUT IN THE OPENING I LAYED ON MY BACK WITH OFFICERS LAUGHING AT ME. AT THIS TIME OFFICERS LUCIANO, ANDRESEN, ANDUJAR, TERRES, AND SGT. HINES, BY ORDERS FROM LT. MARTINEZ, FORCEFULLY WITH EXCESSIVE FORCE MOVED ME UPSIDE DOWN (PICK ME UP UPSIDE DOWN) PULLED ON ME AND TOOK ME BY FORCE AND HANDCUFFED ME, MACE ME, THEN THREW ME IN THE CELL #2019 WITH HANDCUFFS STILL ON ME WITH MACE IN MY FACE SHUTTING THE DOOR. (CAMERA SHOWS THIS) I WAS LEFT IN MY ROOM FOR ABOUT 5 MINUTES BEFORE THEY TOOK HANDCUFFS OFF AND MACE.

FRIDAY

SGT.  
HINES

I WAS IN AGONIZING EXCRUCIATING PAIN. OFFICER CARTER AND GIDDELL WERE NICE ENOUGH TO PICK ME UP TO PUT ME ON THE BUNKER I SCREAMED IN PAIN. WAS NEVER TAKEN TO MEDICAL OR TO THE HOSPITAL AT ALL, AND STILL WAS BEING CLEARED BY DR. DIAZ WHEN I WAS IN EXCRUCIATING PAIN. (IN CONSPIRACY TO COVER THEM FOR MOVING ME WITH A BACK INJURY.) I WAS GIVEN FALSE THREATENING CHARGES, AND WAS GIVEN 45 DAYS COOK UP! (IN ROOM 2019) I LAYED IN MY BUNK NOT BEING ABLE TO MOVE (THEY KEPT ME IN B-POD #5019, MEDICAL NOT CUSTODY DID NOTHING FOR ME EVER THOUGH I WROTE 62 REQUESTS, AND 54 MEDICAL REQUESTS!), I URINED IN MY REEL, DEFECATED ON MYSELF, COULDN'T WASH MY BODY, THREW UP BLOOD, DEFECATED BLOOD. MEDICAL KNEW THIS BECAUSE IF YOU LOOK AT THE CAMERA FROM 11/14/19 ALL THE WAY UP TO NOW JANUARY 10, 2020. EVERY DAY, NURSES COME INSIDE MY ROOM IN THE MORNING AND NIGHT TO GIVE ME TYLENOL. THE WARDEN AND DEPUTY WARDEN AND MEDICAL NEVER PUT ME ON A MEDICAL UNIT PURPOSELY! THE DEPUTY WARDEN CHARLES WARREN KNOWS OFFICERS HAS THREATENED TO KILL ME, SHOOT ME, KICK ME IN THE FACE, HARM ME, WRITE FALSE CHARGES ON ME, ASSAULT ME, AND STILL AFTER I SAID I'M AFRAID FOR MY LIFE AND SAFETY THAT THE OFFICERS AND SUPERVISORS IS GOING TO KILL ME OR HARM ME HE STILL LEFT ME HERE WITHOUT TRANSFERRING ME. MALICIOUSLY, HE IS NOT LETTING ME OUT OF MY ROOM! HE ORDERED THAT I'M NOT ALLOWED TO COME OUT OF MY ROOM FOR NOTHING. (I CAN'T USE THE PHONE, TAKE A SHOWER, LAW LIBRARY, GET VISITS ETC. ETC) HE HAS TAKEN MY MAIL, READ MY MAIL, AND HAS BEEN GIVING ME STYROFOAM TRAYS (SOMEONE TOLD ME DON'T EAT IT, SOMEONE, AN OFFICER SPIT IN IT.) THE DEPUTY WARDEN HAS LOCKED ME IN A ROOM WITHOUT CAUSE VIOLATING MY 8<sup>th</sup> AMENDMENT RIGHTS OF CRUEL AND UNUSUAL PUNISHMENT AND 14<sup>th</sup> AMENDMENT DUE PROCESS. OFFICERS IS EVEN SAYING THIS. I'M AFRAID FOR MY LIFE. I'M AFRAID THEY ARE GOING TO KILL ME HERE AT THE CUMBERLAND COUNTY JAIL. PLEASE CAN YOU HELP ME TO BE TRANSFERRED?

416305

Thank You, White P. Mc  
Monty P. Milbourne  
 B-POD #5019

NOTE: EVERYWHERE I GO I'M IN A  
 WHEELCHAIR 11/14/19, 11/15/19

Monty P. Milbourne  
Cumberland County Jail  
54 WEST BROAD ST.  
BRIDGETON, N.J. 08302

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COURT CLERK OF  
UNITED STATES DISTRICT COURT  
P.O. BOX 2797  
CAMDEN, N.J. 08101

RECEIVED

JAN 15 2020

AT 8:30  
WILLIAM T. WALSH  
CLERK

"LEGAL"  
MAIL

08101-279797

